

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**

Case

21-CA-321146

Date Filed

7/3/2023

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Regents of the University of California (ownership entity and joint employer, referred to herein as "UC"); Aimbridge Hospitality/Interstate as agent for Ownership Entity d/b/a Laguna Cliffs Marriott Resort and Spa (joint employer); Instawork (joint employer)		b. Tel. No. see attached
		c. Cell No. see attached
		f. Fax No. see attached
		g. e-mail see attached
d. Address (Street, city, state, and ZIP code) Laguna Cliffs Marriott Resort and Spa 25135 Park Lantern, Dana Point, CA 92629 (See attached for additional information)	e. Employer Representative (b) (6), (b) (7)(C)	h. Number of workers employed 225
i. Type of Establishment (factory, mine, wholesaler, etc.) Hotel	j. Identify principal product or service Hotel room, food, and beverage	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

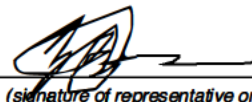
Within the past six months, the above-named employers, by and through their agents and/or supervisors, have violated the Act by discharging at least one employee in response to the employee's protected concerted activity and/or union activity. This charge concerns the employers' removal from the work schedule of an employee hired through a temporary staffing agency who spoke with union organizers and chose to respect a picket line set up by the employers' regular, unionized workers.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
UNITE HERE Local 11

4a. Address (Street and number, city, state, and ZIP code) 464 South Lucas Ave, Suite 201 Los Angeles, CA 90017	4b. Tel. No. 213-481-8530
	4c. Cell No. 757-561-4807
	4d. Fax No. 213-481-0352
	4e. e-mail ztucker@unitehere11.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
UNITE HERE International Union**6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.



(signature of representative or person making charge)

Zoe Tucker, Staff Attorney

(Print/type name and title or office, if any)

464 South Lucas Ave, Suite 201, Los Angeles, CA 90017

Address

Date July 3, 2023

Tel. No.
757-561-4807

Office, if any, Cell No.

Fax No.
213-481-0352e-mail
ztucker@unitehere11.org**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Respondents

Regents of University of California (Ownership Entity and Joint Employer)

(b) (6), (b) (7)(C)

Office of the General Counsel
1111 Franklin Street, 8th Floor
Oakland, CA 94607

Phone: (510) 987-9800

Emails: (b) (6), (b) (7)(C)@ucop.edu, (b) (6), (b) (7)(C)@ucop.edu, (b) (6), (b) (7)(C)

Aimbridge Hospitality/Interstate as agent for Ownership Entity d/b/a Laguna Cliffs Marriott Resort and Spa (Joint Employer)

(b) (6), (b) (7)(C)

25135 Park Lantern,

Dana Point, CA 92629

Phone: (949) 661-5000

Mobile: (b) (6), (b) (7)(C)

Fax: (949) 661-5358

Email: (b) (6), (b) (7)(C)@lagunacliffs.com

Instawork (Joint Employer)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Phone: (b) (6), (b) (7)(C)

Email: (b) (6), (b) (7)(C)@instawork.com

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 21-CA-321888	Date Filed 7-14-2023

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer University of California Retirement Systems (ownership entity and joint employer); Aimbridge Hospitality/Interstate as agent for Ownership Entity d/b/a Laguna Cliffs Marriott Resort and Spa (joint employer); Instawork (joint employer)		b. Te. No. see attached
		c. Ce. No. see attached
		f. Fax No. see attached
d. Address (Street, city, state, and ZIP code) Laguna Cliffs Marriott Resort and Spa 25135 Park Lantern, Dana Point, CA 92629 (See attached for additional information)	e. Employer Representative See attached.	g. e-mail see attached
		h. Number of workers employed 225
i. Type of Establishment (factory, mine, wholesaler, etc.) Hotel	j. Identify principal product or service Hotel room, food, and beverage	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (2) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affect commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the past six months, the above-named employers, by and through their agents and/or supervisors, have violated the Act through a policy and practice of penalizing employees for engaging in protected concerted activity and/or union activity by means of a "gig" application and algorithm which, among other actions, automatically disqualifies workers from future scheduled work when they miss a single shift, even when the employee's reason for not completing the shift is their participation in activity protected by Section 7 of the Act. This automated policy and practice interferes with workers' exercise of their rights under the Act.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

UNITE HERE Local 11

4a. Address (Street and number, city, state, and ZIP code) 464 South Lucas Ave, Suite 201 Los Angeles, CA 90017	4b. Te. No. 213-481-8530
	4c. Ce. No. 202-251-0048
	4d. Fax No. 213-481-0352
	4e. e-mail ipalmer@unitehere11.org

5. Full name of national or international labor organization of which it is an affiliate or constituent (to be filled in when charge is filed by a labor organization)

UNITE HERE International Union

6. DECLARATION

I declare that I have read the above charge and that the statements
are true to the best of my knowledge and belief.

(signature of representative or person making charge)

Jordan Palmer Staff Attorney

(Print/type name and title or office if any)

Address 464 South Lucas Ave, Suite 201, Los Angeles, CA 90017

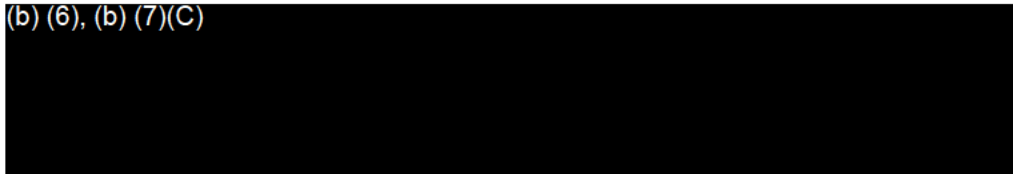
Date July 14, 2023

Te. No.
425-281-2300Office, if any, Ce. No.
425-281-2300Fax No.
213-481-0352e-mail
ipalmer@unitehere11.orgWILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA) 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Employer Representatives**University of California (Ownership Entity and Joint Employer)**

(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C) University of California

1111 Franklin Street, 8th Floor

Oakland, CA 94607

Phone: (510) 987-9800

Emails: (b) (6), (b) (7)(C)@ucop.edu, (b) (6), (b) (7)(C)@ucop.edu, (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)@haas.berkeley.edu

**Aimbridge Hospitality/Interstate as agent for Ownership Entity d/b/a Laguna Cliffs
Marriott Resort and Spa (Joint Employer)**

(b) (6), (b) (7)(C)

25135 Park Lantern,

Dana Point, CA 92629

Phone: (949) 661-5000

Mobile: (b) (6), (b) (7)(C)

Fax: (949) 661-5358

Email: (b) (6), (b) (7)(C)@lagunacliffs.com

Instawork (Joint Employer)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Phone: (b) (6), (b) (7)(C)

Email: (b) (6), (b) (7)(C)@instawork.com

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
21-CA-322069	07-19-2023

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Hilton Anaheim Hotel (joint employer); Instawork (joint employer)		b. Tel. No. See attached.
		c. Cell No. See attached.
		f. Fax No. See attached.
d. Address (Street, city, state, and ZIP code) 777 West Convention Way, Anaheim, CA 92802 (See attached for more info)	e. Employer Representative See attached.	g. e-mail See attached.
		h. Number of workers employed 750
i. Type of Establishment (factory, mine, wholesaler, etc.) Hotel	j. Identify principal product or service Hotel room, food, and beverage	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the past six months, the above-named employers, by and through their agents and/or supervisors, have violated the Act through a policy and practice of penalizing employees for engaging in protected concerted activity and/or union activity by means of a "gig" application and algorithm which, among other actions, automatically disqualifies workers from future scheduled work when they miss a single shift, even when the employee's reason for not completing the shift is their participation in activity protected by Section 7 of the Act. This automated policy and practice interferes with workers' exercise of their rights under the Act.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

UNITE HERE Local 11

4a. Address (Street and number, city, state, and ZIP code) 464 South Lucas Ave., Suite 201 Los Angeles, CA 90017	4b. Tel. No. 213-481-8530
	4c. Cell No. 202-251-0048
	4d. Fax No. 213-481-0352
	4e. e-mail jpalmer@unitehere11.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

UNITE HERE International Union

6. DECLARATION

I declare that I have read the above charge and that the statements
are true to the best of my knowledge and belief.



Jordan Palmer, Staff Attorney

(signature of representative or person making charge)

(Print/type name and title or office, if any)

464 South Lucas Ave., Suite 201, Los Angeles, CA 90017

Address

Date 7/19/2023

Tel. No.
425-281-2300Office, if any, Cell No.
425-281-2300Fax No.
213-481-0352e-mail
jpalmer@unitehere11.org**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
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Employer Representatives

Hilton Anaheim Hotel (Joint Employer)

(b) (6), (b) (7)(C)

777 W. Convention Way

Anaheim, CA 92802

Phone: **(b) (6), (b) (7)(C)**

Email: **(b) (6), (b) (7)(C)**@hilton.com

Instawork (Joint Employer)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Phone: **(b) (6), (b) (7)(C)**

Email: **(b) (6), (b) (7)(C)**@instawork.com